United Nations CRC/C/NZL/Q/5

Convention on the Rights of the Child

Distr.: General
9 March 2016

Original: English
English, French and Spanish only

Committee on the Rights of the Child
Seventy-third session
13-30 September 2016
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the fifth periodic report of New Zealand

The State party is requested to submit, in writing, additional, updated information, if possible before 1 June 2016 (10,700 words maximum).

The Committee may take up any aspect of children's rights set out in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions.

1. Please provide updated information on the legal status of the Convention in the State party's territory of Tokelau.

2. Please provide information on the progress made in the work programme of the State party's Monitoring Group on the Convention. In doing so, please provide details on the mandate of, and the human, technical and financial resources provided to, this mechanism to monitor the implementation of and follow-up to the Committee's previous recommendations (CRC/C/NZL/CO/3-4).

3. Please provide information on measures taken to develop a comprehensive national policy and strategy for the implementation of the Convention. In doing so, please include updated details on the plan for vulnerable children and/or equivalent measure(s) for addressing child poverty.

4. Please clarify the role and mandate of the State party's Social Sector Board Deputy Chief Executives and the allocation of human, technical and financial resources to it, as the principal body responsible for coordinating the implementation of the Convention.

5. Please provide information on measures taken to ensure a child rights approach in the elaboration of the State budget for the implementation of the Convention. In doing so, please include specific information on any measures to assess the impact of applying an investment approach to the provision of child protection and children's social services.

Please recycle

6. Please provide information on measures taken to ensure that the State party's possible outsourcing of the provision of essential services to private enterprises is compliant with the provisions of the Convention. In doing so, please include information on the extent to which the Committee's general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights has been taken into account.

7. Please provide updated information on measures taken to ensure the right of children to be heard, particularly on policy and legislation related to children's rights, as well as on administrative and judicial decisions affecting them. In this context, please include information on the changes made to the Family Court in 2014. Please also provide information on the extent to which children were consulted in the preparation of the State party's fifth periodic report to the Committee, and on the mandate and activities of the Youth Advisory Group.

8. Please indicate what measures are taken to ensure the right of the child to privacy in the context of:

(a) The information sharing processes under the State party's Approved Information Sharing Agreement;

(b) The information required for the operation of predictive risk modelling under the State party's child protection system;

(c) Instances in which children and/or their family members are subjected to government surveillance.

9. Please provide information on any evaluations undertaken of the effectiveness of the measures taken to address all forms of violence against children mentioned in paragraphs 70 to 80 and 105 to115 of the State party report.

10. Please provide information on measures taken to:

(a) Collect data on violence and bullying in schools;

(b) Monitor the impact of the student mental health and well-being initiatives recently introduced in schools on the incidence of violence and bullying;

(c) Assess the effectiveness of measures, legislative or otherwise, in countering violence and bullying in schools.

11. Please provide updated information on measures taken to follow up on the interim report of the Modernising Child, Youth and Family Expert Panel and the "State of Care 2015" report of the Office of the Children's Commissioner.

12. Please provide updated information on the measures taken to provide inclusive education for children with disabilities, including mental and/or psychosocial disabilities.

13. Please provide updated information on measures taken to further reduce the occurrence of preventable diseases, including rheumatic fever, respiratory and skin diseases, among Maori children. Please also provide information on measures taken to reduce the prevalence of obesity.

14. Please provide information on measures taken by the State party to ensure the right to adequate housing and a decent standard of living, including for children in single-parent families and for Maori and Pacific Island children. In doing so, please include information on measures taken to:

(a) Implement the recommendations of the State party's Expert Advisory Group on Solutions to Child Poverty;

(b) Ensure that providers of social housing, particularly private providers, comply with the provisions of the Convention;

(c) Ensure that decisions regarding the implementation of the Social Security Act and related benefits are in accordance with the provisions of the Convention, in particular the principle of the best interests of the child;

(d) Ensure that children who were affected by the 2010 and 2011 earthquakes received adequate support during the State party's earthquake recovery initiatives.

15. Please provide updated information on measures taken to ensure the compliance with the Convention of the State party's juvenile justice legislation and policies. In doing so, please provide information on measures taken to:

(a) Raise the minimum age of criminal responsibility;

(b) Raise the age limit under the Children, Young Persons, and Their Families Act;

(c) Implement the recommendations of the State party's joint thematic review of young persons in police detention;

(d) Improve the operation, both in terms of numbers of children affected and processing time, of custodial remand under its youth justice system.

16. Please provide detailed updated information on measures taken by the State party in follow-up to the Committee's concluding observations concerning the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/CO/2003/NZL) and inform the Committee of any new legislation, policies and procedures relevant to the implementation of the Optional Protocol.

Part II

In this section, the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:

(a) New bills and laws, and their respective regulations;

(b) New institutions and their mandates, and institutional reforms;

(c) Recently introduced policies, programmes and action plans, and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please provide consolidated budget information for the past two years on budget lines allocated for children and social sectors, indicating each budget line as a percentage of the total national budget and gross national product, and geographic allocation.

2. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past two years, on:

(a) Cases of child neglect and abuse, especially in institutions and alternative care settings;

(b) Parents, guardians, or staff of care institutions accused, indicted and convicted of child abuse, including sexual abuse and corporal punishment;

(c) Children with disabilities in regular schools and classes;

(d) School completion rates, up to tertiary level;

(e) Asylum-seeking and migrant children in reception centres;

(f) Child victims of trafficking and abduction;

(g) Children in detention facilities and penitentiary institutions, including closed correctional facilities.

3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location, regarding the situation of children deprived of a family environment. Please indicate, for the past two years, the number of children:

(a) Separated from their parents;

(b) Living in single-parent households;

(c) Placed in institutions;

(d) Placed with foster families;

(e) Adopted domestically or through intercountry adoptions.

4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past two years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Not attending school;

(g) Abandoned by their families.

5. Please provide the Committee with an update of any data in the report that may have been superseded by more recent data or that may have been affected by new developments.

6. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.